

Disaster Housing Assistance: Homeland Security Issues in the 116th Congress

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Homeland Security Issues in the 116th Congress

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After the President issues an emergency or major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act, [42 U.S.C. §§5121 et seq.](#)), the [Federal Emergency Management Agency \(FEMA\)](#) may provide various temporary housing assistance programs to meet disaster survivors' needs. However, limitations on these programs may make it difficult to transition disaster survivors into permanent housing. This Insight provides an overview of the primary housing assistance programs available under the Stafford Act, and potential considerations for Congress.

Transitional Sheltering Assistance

FEMA-provided housing assistance may include [short-term, emergency sheltering accommodations](#) under Section 403 of the Stafford Act ([42 U.S.C. §5170b](#)), including the [Transitional Sheltering Assistance \(TSA\)](#) program, which received significant attention as it was coming to an end for disaster survivors of [Hurricane Maria](#) from Puerto Rico. This transition process highlighted challenges to helping individuals and families obtain interim and permanent housing following a disaster.

TSA is intended to provide short-term hotel/motel accommodations to individuals and families who are unable to return to their pre-disaster primary residence because a declared disaster rendered it uninhabitable or inaccessible. The initial period of TSA assistance is 5-14 days, and it can be extended in 14-day intervals for up to 6 months from the date of the disaster declaration. However, some Hurricane Maria disaster survivors from Puerto Rico remained in the TSA program for nearly one year due to extensions of the program ([including by court order](#)). Hurricane Maria is not the only incident that has received multiple TSA program extensions; disaster survivors of Hurricanes [Harvey](#), [Irma](#), and [Sandy](#) also received extensions for nearly a year. [Research](#) suggests that housing-instable individuals and families

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may have an “increased risk of adverse mental health outcomes,” which may reveal a drawback to using an emergency sheltering solution, such as TSA, to house individuals and families in hotels/motels for extended periods of time.

Individuals and Households Program

Interim housing needs may be better met through FEMA’s [Individuals and Households Program \(IHP\)](#) under Section 408 of the Stafford Act ([42 U.S.C. §5174](#)). Financial (e.g., assistance to [reimburse temporary lodging expenses](#) and [rent alternate housing accommodations](#)) and/or direct (e.g., [multi-family lease and repair](#) and [manufactured housing units \(MHUs\)](#)) assistance may be available to eligible individuals and households who, as a result of a disaster, have [uninsured or under-insured necessary expenses and serious needs](#) that cannot be met through other means or forms of assistance. IHP assistance is intended to be temporary, and is generally limited to a period of [18 months from the date of the declaration](#), but may be extended by FEMA.

Although IHP provides various assistance options, eligibility and programmatic limitations exist on their receipt and use. For example, disaster survivors whose primary residence is determined to be habitable or who have access to adequate rent-free housing may be [ineligible](#) to receive assistance, even if they are unable to return for other reasons (e.g., lack of employment). Challenges to providing financial assistance, such as rental assistance, may include lack of [available, affordable housing stock](#). Additionally, [regulations](#) and [policies](#) may not permit FEMA to [immediately](#) adjust rental payment rates [to reflect the location](#) where a disaster survivor has relocated. So even if housing stock is available, the difference in cost may result in the inability of some eligible applicants to secure a housing unit. Challenges to providing direct assistance, such as MHUs, may include [restrictions on the placement of MHUs](#). Additionally, FEMA’s [direct lease assistance](#) program is usually only offered if rental resources are scarce, and the area where direct lease assistance is available may be limited. Further, following a [catastrophic incident](#) additional challenges include the need to restore infrastructure, community services, and employment opportunities, which may impact where disaster survivors decide to locate following a disaster. This decision may impact the benefits for which they may be eligible.

Disaster Housing Assistance Program

Following [Hurricanes Katrina and Rita](#), [Ike and Gustav](#), and [Sandy](#), FEMA executed Interagency Agreements with the U.S. Department of Housing and Urban Development (HUD) to administer the Disaster Housing Assistance Program (DHAP) in order to provide rental assistance and case management services. Although DHAP fell under Section 408 of the Stafford Act and was funded through the Disaster Relief Fund, it was not subject to some of the limitations of the IHP, and it may have allowed families to receive more assistance for longer periods of time than they may have received under IHP. Despite being identified as a [promising interim housing strategy](#) and [potential solution](#) to the challenge of meeting long-term housing needs in the [National Disaster Housing Strategy](#), FEMA has not implemented DHAP following more recent disasters. Most recently, in response to the Governor of Puerto Rico’s request to authorize DHAP, FEMA [stated](#) DHAP would not be implemented, because FEMA and HUD “offered multiple housing solutions that are better able to meet the current housing needs of impacted survivors.” FEMA also [noted](#) that the Office of Inspector General (OIG) had raised concerns about DHAP’s cost effectiveness; the OIG [recommended](#) that, before FEMA activates DHAP again, it “[c]onduct a cost-benefit analysis....”

Potential Considerations for Congress

FEMA provides temporary housing assistance to meet short-term and interim disaster housing needs; however, clearly defining the use of these programs and identifying a process to assist some disaster survivors with attaining permanent housing may be needed to comprehensively address disaster housing needs throughout all phases of recovery. Congress may request an evaluation of FEMA's capacity to adequately and cost-effectively meet the needs of disaster survivors. Congress may also evaluate the roles of government and private/nonprofit entities in providing disaster housing assistance; require FEMA to [collaborate with disaster housing partners](#) to identify and outline short, interim, and long-term disaster housing solutions; and require an update to the [National Disaster Housing Strategy](#) to reflect the roles and responsibilities of housing partners, current practices and solutions, and the findings of any such evaluations. Congress may also pursue legislative solutions, including by consolidating, eliminating, or revising existing authorities and programs, or creating new programs that address unmet needs.

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